

REMARKS

Applicant has carefully reviewed the Office Action of September 3, 2004, and offers the following remarks to accompany the above amendments.

Initially, Applicant amends paragraph 0044 of the specification to correct a typographical error. No new matter is added, but the word "fist" as presented in the application as filed is changed to the correct word "first".

Applicant further amends the claims to delete reference characters such as "a", "b", "c", "i", "ii", and "iii". The scope of the claims does not change by virtue of these amendments, but superfluous characters are removed. Applicant further amends several claims to recite the word "and" so that the claims are more consistent with US patent practice. Applicant further amends the dependent claims so that the introductory article is "the" rather than "a". Claims 9, 10, 39 and 76 are amended to provide an appropriate article for some claim terms. These amendments are made to conform the claim language to US patent practice. The amendments do not change the scope of the claims, but are made strictly for the sake of conforming the claims to US patent practice and to prevent any allegation of improper antecedent basis in the preamble elements.

Applicant still further amends the independent claims to recite that the shuffling unit is distinct from the switching unit. Support for this can be found for this amendment in the application on page 12, lines 2-10. No new matter is added.

Claims 1, 2, 17-20, 25-32, 47-50, 55, 56, 65-70, 76, 79, and 80 were rejected under 35 U.S.C. § 102(e) as being anticipated by Molitor. Applicant respectfully traverses. For the Patent Office to establish anticipation, the Patent Office must show where each and every element of the claim is shown by the reference. Furthermore, the elements of the reference must be arranged as claimed. MPEP § 2131.

As amended, the independent claims recite that the shuffling unit is distinct from the switching unit. Molitor does not show this claim element. Specifically, the Patent Office states that Molitor teaches the shuffling unit at column 6, lines 32-43 and column 10, lines 17-29, and teaches the switching unit at column 6, lines 49-59 and column 10, lines 30-36. However, all these passages refer to the NAT 320. Specifically, the NAT 320 performs the indicated translation on the various packets, but does not use distinct modules to perform this translation.

The Patent Office may opine that address translation section 322 and address manager 324 comprise the two distinct modules recited in the claims, but this assertion would not be true

because all of the passages relied on by the Patent Office to show the functions recited in the claims deal with the address translation section 322, and do not deal with the address manager 324. To this extent, even if address translation section 322 is distinct from address manager 324, these two elements do not have the appropriate discrete functions as recited in the claim and Molitor cannot anticipate the claims. Since Molitor cannot anticipate the amended claims, Applicant requests withdrawal of the § 102 rejection of claims 1, 2, 17-20, 25-32, 47-50, 55, 56, 65-70, 76, 79, and 80.

Claims 3, 4, 21-24, 33, 34, 51-54, 71-75, 77, and 78 were rejected under 35 U.S.C. § 103 as being unpatentable over Molitor in view of Araujo. Applicant respectfully traverses. For the Patent Office to establish *prima facie* obviousness, the Patent Office must show where all the elements of the claims are shown in the combination of references. MPEP § 2143.03. If the Patent Office cannot establish obviousness, then Applicant is entitled to a patent.

As explained above, Molitor does not show the shuffling unit distinct from the switching unit. Nothing in Araujo cures this deficiency. Thus, since the references individually do not teach or suggest a claim element, the combination of references cannot teach or suggest the claim element. Since the combination does not teach or suggest a claim element, the Patent Office has not established obviousness, and the claims are allowable. Applicant requests withdrawal of the § 103 rejection of claims 3, 4, 21-24, 33, 34, 51-54, 71-75, 77, and 78 at this time.

Applicant appreciates the indication of allowable subject matter in claims 5-16, 35-46, and 57-64. In light of the fee structure implement on December 8, 2004, Applicant does not rewrite these claims in independent form at this time.

Applicant requests reconsideration of the rejections in light of the amendments and remarks presented herein. The references of record do not teach or suggest distinct shuffling and switching units. Applicant earnestly solicits claim allowance at the Examiner's earliest convenience.

Respectfully submitted,

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